

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
JUNE 6, 1989
AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:54 a.m. The meeting was recessed by Mayor O'Connor at 12:14 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Deputy Mayor McCarty at 2:23 p.m. with Mayor O'Connor and Council Members Wolfsheimer, Roberts, and McColl not present. Deputy Mayor McCarty recessed the meeting at 2:29 p.m. to convene the Redevelopment Agency meeting. Deputy Mayor McCarty reconvened the City Council meeting at 2:31 p.m. with Mayor O'Connor and Council Members Wolfsheimer and McColl not present. Deputy Mayor McCarty recessed the meeting at 3:37 p.m. to reconvene the Redevelopment Agency meeting. Deputy Mayor McCarty reconvened the City Council meeting at 3:55 p.m. with Mayor O'Connor and Council Members Wolfsheimer, McColl, and Henderson not present. Deputy Mayor McCarty adjourned the meeting at 3:56 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
 - (1) Council Member Wolfsheimer-excused by R-273789
(personal reasons - surgery)
 - (2) Council Member Roberts-present
 - (3) Council Member McColl-excused by R-273859
(vacation)
 - (4) Council Member Pratt-present
 - (5) Council Member Struiksmma-present
 - (6) Council Member Henderson-present
 - (7) Council Member McCarty-present
 - (8) Council Member Filner-present
- Clerk-Fishkin, Abdelnour (eb,mp)

19890606

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-not present
- (2) Council Member Roberts-present

- (3) Council Member McColl-not present
- (4) Council Member Pratt-present
- (5) Council Member Struiksma-not present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-50: (O-89-227 Rev.) FILED

Amending Chapter V, Article 3, of the San Diego Municipal Code by adding Section 53.32, relating to the Prohibition of Sale or Possession of Assault Weapons.

(Introduced as amended on 5/22/89. Council voted 7-2.
Districts 5 and 6 voted nay.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A074-083.)

MOTION BY McCARTY TO NOTE AND FILE. Second by Roberts. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-207: (O-89-210) INTRODUCED, TO BE ADOPTED JUNE 19, 1989

Introduction of an Ordinance amending Chapter IX, Article 5, Division 1, of the San Diego Municipal Code by amending Section 95.0101, relating to the Display of Banners on Broadway, between Harbor Drive and 17th Street.

(Centre City Community Area. District-8.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A083-313.)

Hearing began 11:04 a.m. and halted 11:15 a.m.

Testimony by Ron Aldred.

MOTION BY ROBERTS TO INTRODUCE. Second by Henderson. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Jun-6-1989

ITEM-310: WELCOMED

Welcoming a group of approximately 25 students from San Diego High School, accompanied by their teacher, Mr. Corky Witteman. This group will arrive at approximately 10:40 a.m.

(District-8.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A029-040.)

COUNCIL MEMBER FILNER WELCOMED THE GROUP.

ITEM-330: (R-89-1922) ADOPTED AS RESOLUTION R-273670

Considering the protests and establishing the Newport Avenue Landscape Maintenance District; approving the map. (Ocean Beach Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: Certain public improvements are proposed within the Newport Avenue Commercial District of Ocean Beach, generally that portion of Newport Avenue between Abbott Street and Sunset Cliffs Boulevard. The proposed improvements in the form of sidewalk repairs, landscaping and irrigation are part of an overall commercial revitalization program in the area. The revitalization program resulted from community workshops and a related improvements study of the area completed in early 1988. The construction is scheduled to start in April 1989, and to be completed in August 1989. The construction costs will be paid from C.I.P. and CDBG funds. This action is for the establishment of the landscape maintenance district. No assessments are being levied at this time. The district will be brought before the Council in July 1989 to levy assessments for the maintenance to be provided by the district in Fiscal Year 1990. The estimated maintenance cost for the district for Fiscal Year 1990 is approximately \$23,000 which corresponds to approximately \$6.75 per frontage foot along Newport Avenue.

Esquivel/Rollinger/EM

FILE LOCATION: STRT M-181

COUNCIL ACTION: (Tape location: A324-406.)

Hearing began 11:17 a.m. and halted 11:23 a.m.

Testimony in favor by Denise Knox, Ed Brown, Mark Zimmerman, and Priscilla McCoy.

MOTION BY ROBERTS TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-331: (R-89-1789) ADOPTED AS RESOLUTION R-273671

Considering the protests and approving the modified map, in the matter of the Ocean Beach Landscape and Lighting District No. 1.

(Ocean Beach Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: Certain public improvements are proposed within the Newport Avenue Commercial District of Ocean Beach, generally that portion of Newport Avenue between Abbott Street and Sunset Cliffs Boulevard. The proposed improvements, including additional street lighting, sidewalk repairs, landscaping and irrigation are part of an overall commercial revitalization program in the area. The revitalization program resulted from community workshops and a related improvement study of the area completed in early 1988. The construction is scheduled to start in April 1989, and to be completed in August 1989. The construction costs will be paid from C.I.P. and C.B.D.G. funds. Additional street lighting consists of ornamental street lighting with acorn style luminaires on fluted cast aluminum poles. A portion of the improvement area is within the existing Ocean Beach No. 1 Street Lighting District. Since the overall distribution of the proposed street lighting will be greater than the existing district, it is proposed to de-annex the impacted portion of the existing Ocean Beach No. 1 district and incorporate it into the new district. This action is for the establishment of the street light maintenance district. The district will be brought before the Council in July 1989 to levy assessments for the energy and maintenance to be provided by the district in Fiscal Year 1990. The estimated energy and maintenance costs for the proposed street lighting district is approximately \$7,200 which corresponds to approximately \$.70 per frontage foot.

FILE LOCATION: STRT M-202

COUNCIL ACTION: (Tape location: A406-424.)

Hearing began 11:23 a.m. and halted 11:24 a.m.

MOTION BY ROBERTS TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-332:

An amendment to Chapter X of the San Diego Municipal Code (Planning and Zoning Regulations) to add a proposed Recycling Facilities Ordinance. The purpose of the ordinance is to establish development standards and permit procedures for recycling facilities in commercial and industrial zones to protect the public health and safety, while making recycling convenient for consumers. The types of recycling facilities proposed are:

- *Reverse vending machines - Mechanical devices that accept one or more types of empty beverage containers

(glass, plastic, aluminum) and issue a cash refund or redeemable coupon.

*Recycling collection facilities - Buy or accept recyclable materials (glass, plastic, aluminum, newspaper) from the public.

*Processing facilities - Receives recyclable materials from the public and/or other recycling collection facilities and prepares recyclable materials for remanufacturing.

(City-Wide.)

Subitem-A: (R-89-2185) ADOPTED AS RESOLUTION R-273672

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-89-0112 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-89-217) INTRODUCED AS AMENDED, TO BE
ADOPTED JUNE 19, 1989

Introduction of an Ordinance amending the S. D. Municipal Code.

FILE LOCATION:

Subitem-A MEET,

Subitem-B --

COUNCIL ACTION: (Tape location: A450-B145.)

Hearing began 11:26 a.m. and halted 11:45 a.m.

Testimony in favor by Larry Fletcher, B. P. Hanrath, and Phillippe Leroy.

Testimony in opposition by Robert Maynard and William Feeney.

MOTION BY McCARTY TO ADOPT THE RESOLUTION FOR SUBITEM-A AND INTRODUCE THE ORDINANCE FOR SUBITEM-B AS AMENDED BY THE CORRECTIONS PRESENTED BY STAFF AT THE MEETING, WHICH WAS TO CHANGE THE WORD "AND" IN PARAGRAPH 3.b.1 TO "OR" AND ADD "C-1" TO THE ZONES IN PARAGRAPH G.2. Second by Roberts. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-333: CONTINUED TO JUNE 13, 1989, 10:00 A.M.

Five actions relative to the Improvement of Project First Class Alley and Sewer Replacement, Contract No. 5, under the provisions of the San Diego Municipal Code and the Improvement Act of 1911:
(Southeast San Diego Community Area. District-4.)

Subitem-A: (R-89-1871)

Resolution of Feasibility for the Improvement of Project First Class Alley Improvement and Sewer Replacement, Contract No. 5.

Subitem-B: (R-89-1872)

Ordering the work for the Improvement of Project First Class Alley Improvement and Sewer Replacement, Contract No. 5.

Subitem-C: (R-89-1873)

Approving the City Engineer's Report submitted in connection with the Improvement of Project First Class Alley Improvement and Sewer Replacement, Contract No. 5.

Subitem-D: (R-89-1874)

Adopting Plans and Specifications for the Improvement of Project First Class Alley Improvement and Sewer Replacement, Contract No. 5.

Subitem-E: (R-89-1875)

Inviting sealed proposals for bids for the Improvement of Project First Class Alley Improvement and Sewer Replacement, Contract No. 5.

CITY MANAGER SUPPORTING INFORMATION: The Project First Class Alley and Sewer Replacement - Contract No. 5 is the fifth project in the Project First Class area to be considered by Council under the CDBG - Assessment District cost sharing concept. The cost sharing concept is based on CDBG funds being used to finance 50 percent of the alley improvements regardless of the income or residency status of the benefitting property owners. The remaining 50 percent of the alley improvement cost will be assessed to the benefitting parcels with CDBG funds being utilized to pay the assessments for owner-occupants who meet HUD income guidelines. Property owners who do not qualify may pay the remaining 50 percent over a period of ten years. The proposed improvements to the eight alleys included in this contract consist of clearing, grubbing, grading, paving, curb, retaining wall, storm drain and sewer main replacement

improvements. There are 159 parcels involved and 83 of them are owner-occupied. All property owners have been notified of the proposed improvements and given information regarding the assessment payment program. The cost of the sewer main replacements will be paid from Water Utility Department sewer annual allocation funds. The cost of the street paving will be paid for with CDBG funds.

FILE LOCATION: STRT D-2281

COUNCIL ACTION: (Tape location: A425-450.)

Hearing began 11:24 a.m. and halted 11:26 a.m.

No public testimony was taken.

MOTION BY HENDERSON TO CONTINUE TO JUNE 13, 1989, 10:00 A.M. AT THE REQUEST OF THE CITY MANAGER FOR FULL COUNCIL. Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-not present, Pratt-yea, Struiksmas-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-334: (R-89-) CONTINUED TO JULY 11, 1989, 10:00 A.M.

Appeal of Casa de Manana by Roberta Jacobsen, Vice President, Operations, from the decision of the Historical Site Board in designating four buildings at the Casa de Manana Retirement Home, 849 Coast Boulevard, La Jolla, as an historic site.

(District-1.)

Adoption of a Resolution granting or denying the appeal and granting or denying the historic site designation, with appropriate findings to support Council action.

FILE LOCATION: Gen'l Historical Site Board, Decisions and Appeals

COUNCIL ACTION: (Tape location: A040-044.)

MOTION BY ROBERTS TO CONTINUE TO JULY 11, 1989, 10:00 A.M. AT THE REQUEST OF THE PLANNING DEPARTMENT TO RENOTICE. Second by Pratt. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-not present, Pratt-yea, Struiksmas-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-335: (R-89-1944) ADOPTED AS AMENDED AS RESOLUTION R-273674

(Continued from the meeting of May 23, 1989, Item 334, at Tim Kilkenny's request, to review the Housing Commission's comprehensive report.)

Proposal to modify Council Policy 600-37, Development Agreements, by adding provisions for low income and affordable housing and compliance with the City's Equal Opportunity Program.
(Citywide.)

Adoption of a Resolution amending Council Policy 600-37.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B145-596.)

Hearing began 11:46 a.m. and halted 12:14 p.m.

Testimony in favor by Kim Kilkenny and Elizabeth Morris.

Testimony in opposition by Jim Dawe.

MOTION BY PRATT TO ADOPT AS AMENDED TO CHANGE THE WORD "DETERMINED" IN SECTION A.1.J OF THE PROPOSED AMENDMENT TO COUNCIL POLICY 600-37 TO "DEFINED" AND TO MODIFY THE LANGUAGE IN A.3. TO USE "POLICY" FOR "GOALS" WHERE APPROPRIATE. Second by Roberts. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-not present, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-336: FILED

Two actions relative to Sensitive Lands Mapping/City-Wide Base Maps:

Subitem-A: (R-89-2393)

Adoption of a Resolution directing the Planning Department to include resource mapping in sensitive lands elements of community plans during the five year update cycle, when appropriate, in order to provide the mapping necessary to achieve effective resource planning and management.

Subitem-B: (R-89-2394)

Adoption of a Resolution directing the City Manager to develop a plan for updating and digitizing the City's 200-scale orthotopo base map system.

FILE LOCATION:

Subitems A and B AGENDA

COUNCIL ACTION: (Tape location: A053-070.)

MOTION BY ROBERTS TO NOTE AND FILE AT THE REQUEST OF THE CITY MANAGER. Second by Mayor O'Connor. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-337: (R-89-2568) ADOPTED AS RESOLUTION R-273675

Confirming the cost of weed abatement against Tax Assessors Parcel Numbers 577-280-01 and 577-321-01 in the total amount of \$4,469 to be apportioned against each parcel at the sum of \$2,234.50 per parcel, pursuant to the provisions of Sections 54.0201 through 54.0206 of the San Diego Municipal Code, and after a public hearing held this date, the property owners having been duly noticed; authorizing the City Manager to waive the City's administrative fee of \$1,809.95; authorizing the Fire Chief to bill the property owner for the costs of weed abatement hereby confirmed.

(See City Manager Report CMR-89-73.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C231-446.)

Hearing began at 2:31 p.m. and halted at 2:45 p.m.

Testimony in opposition by Michael Lubitz.

Council Member Struiksma left at 2:40 p.m.

MOTION BY PRATT TO CONFIRM THE COST OF \$3,000.00 AS A COMPROMISE. Second by Henderson. Passed by the following vote:

Wolfsheimer-not present, Roberts-yea, McColl-not present,

Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea,

Filner-yea, Mayor O'Connor-not present.

ITEM-338:

Matter of a proposal for the initiation of the redevelopment process to implement the Mercado del Barrio based on concepts described in a consultant study on the planning and feasibility of the project. This action includes designation of a survey area and authorization to prepare preliminary and final redevelopment plans.

The proposed Mercado del Barrio is located adjacent to Chicano Park, immediately to the south of Interstate 5 and easterly of the intersection of Crosby Street and Newton Avenue within the Barrio Logan Community.

(District-8.)

Subitem-A: (R-89-2350) ADOPTED AS RESOLUTION R-273676

Adoption of a Resolution designating the area known as the Mercado Del Barrio Project as a redevelopment survey area.

Subitem-B: (R-89-2351) ADOPTED AS RESOLUTION R-273677

Adoption of a Resolution accepting the planning and

feasibility study for the Mercado del Barrio Project,
prepared by Economics Research Associates.

FILE LOCATION: LAND - Barrio Logan Community Plan

COUNCIL ACTION: (Tape location: C450-D426.)

Hearing began at 2:46 p.m. and halted at 3:26 p.m.

Testimony in favor by Rich Juarez, Dan Torres, Amy Heinz, and
Celia Ballesteros.

Testimony in opposition by Robert Zamarripa, Ed Glasson, F. A.
Meiser, and Ralph Hughes.

MOTION BY FILNER TO APPROVE STAFF RECOMMENDATIONS AND TO
REQUEST

THAT WORKSHOPS, WITH PUBLIC TESTIMONY, BE HELD TO DISCUSS
REDEVELOPMENT AS A GENERAL POLICY AND THE ISSUES INVOLVED; THAT
THESE WORKSHOPS BE HELD AT T&LU AND THAT ONLY KEY ISSUES BE
FORWARDED TO THE FULL COUNCIL. Second by Henderson. Passed by
the following vote: Wolfsheimer-not present, Roberts-yea,
McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-339: CONTINUED TO JUNE 27, 1989

Appeal of Wallace F. Zager Trust, dba Border Station
Parking, by Sandra J. Brower, Attorney, from the decision
of the Planning Commission in approving, with
modifications, Tentative Map TM-88-1198 (San Ysidro
Parking Lot), proposing a four-lot subdivision. The
subject property is located on the south side of Camino
Camiones Way, between I-5 and Virginia Avenue, in Zone
A-1-1, in the San Ysidro Community Plan area, and is
further described as a portion of Blocks 21, 22, 23 and 24
of Tia Juana City Maps 282 and 562.
(TM-88-1198. District-8.)

FILE LOCATION: SUBD - San Ysidro Parking Lot

COUNCIL ACTION: (Tape location: C115-128.)

Testimony in favor of the continuance by Matt Peterson.

MOTION BY FILNER TO CONTINUE TO JUNE 27, 1989, AND TO REQUEST
THAT THE CITY CLERK DOCKET THE ANTICIPATED RULE 4 REQUEST FOR A
HEARING OF AN APPEAL REGARDING THE CUP ON JUNE 26, 1989, AND SET
THE HEARING OF THE APPEAL FOR THAT RULE 4 ON JULY 11, 1989.

Second by Henderson. Passed by the following vote:

Wolfsheimer-not present, Roberts-not present, McColl-not
present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-not present.

ITEM-340: (R-89-2399) ADOPTED AS RESOLUTION R-273678

Authorizing the Auditor and Comptroller to accept \$100,000 from the Redevelopment Agency and deposit it into Fund 18502, transfer \$100,00 from Fund 18502 to the 1989 CDBG Program (Fund 18525), and transfer \$100,000 from the 1989 CDBG Program Fund to the Redevelopment Agency of the City of San Diego for the Fiscal Year 1989/1990 Agency/Gaslamp Quarter Council Operating Agreement.

(See the Report to the Redevelopment Agency, entitled "Funding of FY 1990 Gaslamp Quarter Operations." Centre City, Gaslamp Quarter Redevelopment Project. District-8.)
Aud. Cert. 8901003.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E033-098.)

MOTION BY FILNER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S401: TRAILED AS UNFINISHED BUSINESS TO JUNE 12, 1989

(Trailed as Unfinished Business from the meeting of May 30, 1989, Item 332, due to lack of 5 votes.)

Two actions relative to the vacation of "C" Street between India Street and Kettner Boulevard:

(See City Manager Report CMR-89-227. Centre City Community Area. District-8.)

19890606

Subitem-A: (R-89-2176)

Vacation of "C" Street between India Street and Kettner Boulevard.

Subitem-B: (R-89-2186)

Certifying that the information contained in Environmental Secondary Study for the proposed Great American Plaza, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and has been reviewed and considered by the Council.

FILE LOCATION: STRT J-2719 DEED F-4919

COUNCIL ACTION: (Tape location: E100-272.)

Hearing began at 3:43 p.m. and halted at 3:56 p.m.

Motion by Struiksma to adopt Items-S401, S402, and S403. Second by Roberts. No vote taken. Trailed as unfinished business to

Monday, June 12, 1989.

ITEM-S402: (R-89-2242) TRAILED AS UNFINISHED BUSINESS TO
JUNE 12, 1989

(Trailed as Unfinished Business from the meeting of May 30, 1989, Item 333, due to lack of 5 votes.)

Authorizing the sale by negotiation of City-owned portion of "C" Street between Kettner Boulevard and India Street for the amount of \$1,760,000 to the Redevelopment Agency of the City of San Diego; authorizing the execution of a grant deed, granting to the Redevelopment Agency of the City of San Diego all that portion of "C" Street between Kettner Boulevard and India Street; declaring that no broker's commission shall be paid by the City on the above negotiated sale.

(See City Manager Reports CMR-89-249 and CMR-89-227. Centre City Community Area. District-8.)

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: E100-272.)

Hearing began at 3:43 p.m. and halted at 3:56 p.m.

Motion by Struiksma to adopt Items-S401, S402, and S403. Second by Roberts. No vote taken. Trailed as unfinished business to Monday, June 12, 1989.

ITEM-S403: (R-89-2067) TRAILED AS UNFINISHED BUSINESS TO
JUNE 12, 1989

(Trailed as Unfinished Business from the meeting of May 30, 1989, Item 334, due to lack of 5 votes.)

Authorizing the execution of an encroachment removal agreement with Broadway, Kettner Associates, Inc. and Starboard Station, Inc., for the construction of private underground facilities in the public right-of-way for the development of Great American Plaza.

(Centre City Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The developer of the Great American Plaza has applied for a permit to construct a permanent underground parking structure located between Broadway, "B" Street, India Street and Kettner Boulevard. This structure encroaches approximately three feet in Broadway and "B" Street; six feet in Kettner Boulevard; and nine feet in India Street. This encroachment will not conflict with the existing underground utilities or the surface improvements in the adjacent streets. A development agreement for the Great

American Plaza was approved by the City Council on February 28, 1989. The approval of this Encroachment Removal Agreement is recommended since it is consistent with Council Policy 700-18.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: E100-272.)

Hearing began at 3:43 p.m. and halted at 3:56 p.m.

Motion by Struiksma to adopt Items-S401, S402, and S403. Second by Roberts. No vote taken. Trailed as unfinished business to Monday, June 12, 1989.

ITEM-S500: (O-89-204) CONTINUED TO JUNE 13, 1989, 10:00 A.M.

(Continued from the meeting of May 30, 1989, Item 331, at Mayor O'Connor's request, for further review and with direction to the Planning Department to work with the community to provide addresses of known care facilities for 6 or under, including drug rehabilitation, and to review the impacts.)

Proposal to amend the San Diego Municipal Code, Chapter X, Article 1, Division 1, Section 101.0101 to define residential care facilities and Division 5, Sections 101.0510.C.1.o and 101.0510.3.m, to amend the Conditional Use Permit for residential care facilities to include locational criteria which will require a 600-foot separation between all residential care facilities, and development and parking standards. Since the Conditional Use Permit Ordinance is applicable in the Coastal Zone, this action will also constitute an amendment to the City's Local Coastal Program.

(Citywide.)

Introduction of an Ordinance amending the San Diego Municipal Code.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: C181-190.)

MOTION BY STRUIKSMA TO CONTINUE TO JUNE 13, 1989, 10:00 A.M., AT THE REQUEST OF VERA QUINN FOR A FULL COUNCIL. Second by Roberts. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S501: PROCLAIMED

Recognizing 42 contestants for the Miss California Pageant and proclaiming June 6 through June 12, 1989 to be "Miss

California Week" in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C068-101.)

Prior to a quorum being present, Deputy Mayor McCarty welcomed the contestants and presented the proclamation.

MOTION BY STRUIKSMA TO RATIFY THE ACTION TAKEN BY COUNCIL PRIOR TO A QUORUM BEING PRESENT. Second by Pratt. Passed by the following vote: Wolfsheimer-not present, Roberts-not present, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S502:

Three actions relative to the Telecommunication Request for Proposal:

Subitem-A: (R-89-2375) NOTED AND FILED

Requesting San Diego Data Processing Corporation and San Diego Convention Center Corporation to bifurcate the telecommunication services bid package so that the Convention Center's requirements may proceed expeditiously.

Subitem-B: (R-89-2376) CONTINUED TO JULY 17, 1989

Terminating the operating agreement between the City of San Diego and San Diego Data Processing Corporation for provision of data processing and telecommunication services, pursuant to paragraph 13(b) (3) of the basic operating agreement.

Subitem-C: (R-89-2537) ADOPTED AS RESOLUTION R-273679

Requesting San Diego Data Processing Corporation to take all necessary and appropriate action to secure a final and best response to the Request For Proposal (RFP) for telecommunication services from responding vendors.

NOTE: See Item S405 on the supplemental docket of Monday, June 5, 1989 for the reconsideration. Council will proceed with today's action if Item S405 is adopted.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D430-E032.)

MOTION BY ROBERTS TO NOTE AND FILE SUBITEM-A; CONTINUE SUBITEM-B TO JULY 17, 1989; AND ADOPT SUBITEM-C GIVING ADVISORY SUPPORT TO THE PROGRAM THAT'S BEEN PUT FORTH, THAT THERE BE A GROUP OF FIVE INDIVIDUALS TO REVIEW THE BIDS, THAT THE BIDDERS BE ALLOWED TO SUBMIT THOSE TECHNOLOGICAL SYSTEMS THAT TAKE FULL ADVANTAGE OF WHATEVER IS OUT IN THE MARKETPLACE TODAY, AND THAT THEY BE ABLE

TO SUBMIT THEIR BEST PRICE FOR THE BEST SYSTEM. SDDPC IS ASKED TO CONSIDER SEEING THAT THE FIVE APPOINTEES ARE HIGHLY QUALIFIED PEOPLE. Second by Pratt. Passed by the following vote:

Wolfsheimer-not present, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-CS-1: (R-89-2466) ADOPTED AS RESOLUTION R-273673

A Resolution adopted by the City Council in Closed Session on June 6, 1989:

Authorizing and empowering the City Manager to pay the sum of \$274,900.44 in the settlement of each and every claim against the City of San Diego, its agents and employees, resulting from property damage to the factory inventory of National Discount Costume Company as a result of an incident on December 16, 1988; authorizing the City Auditor and Comptroller to issue one check in the amount of \$274,900.44 made payable to National Discount Costume Company and James Christensen, their attorney, in full settlement of all claims, authorizing the City Auditor and Comptroller to transfer \$274,900.44 from the water revenue fund 41502 unallocated reserve (70679) to the water operating fund 41500 watermain maintenance program (70540).
Aud. Cert. 8901031

FILE LOCATION: MEET

ITEM-CS-2: (R-89-2510) ADOPTED AS RESOLUTION R-273727

A Resolution adopted by the City Council in Closed Session on June 6, 1989:

Authorizing and empowering the City Attorney to enter into an agreement with Environmental Sciences, Inc. for services relating to asbestos in City buildings and for services related to the preparation of litigation in the case City of San Diego v. Grace Corp., et al., authorizing the City Auditor and Comptroller to expend an amount not to exceed \$421,915 from Fund 81140, Account 4824, Job Order 81141, for the above described services.

Aud. Cert. 8901039

FILE LOCATION: MEET

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

By common consent, the meeting was adjourned by Deputy Mayor McCarty at 3:56 p.m. in honor of the memory of Frank Dytrich.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: E273).